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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 RICHARD W. WADDLE,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security,

11 Defendant.

Case No. 11-5718 BHS/KLS

REPORT AND RECOMMENDATION

12 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
13 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
14 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for
15 remand. (ECF #19). After reviewing the parties' stipulated motion and the remaining record, the
16 undersigned recommends that the Court grant the parties' motion, and remand this matter to the
17 Commissioner for further proceedings.

18 This Court recommends that on remand the Administrative Law Judge (ALJ) will
19 reevaluate the medical evidence as a whole, in particular the opinion of Dr. Bautista, and if
20 necessary, contact him for additional information. The ALJ will also clarify the sources who
21 prescribed Plaintiff's medications. The ALJ will reevaluate Plaintiff's subjective testimony and
22 will reevaluate Plaintiff's residual functional capacity. The ALJ will reevaluate Plaintiff's ability
23 to perform his past relevant work taking into account 20 C.F.R. §§ 404.1520(f), 416.920(f). If
24 necessary, the ALJ will conduct a step five analysis, obtain the assistance of a vocational expert,
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and present a complete hypothetical to the vocational expert and ensure consistency with the Dictionary of Occupational Titles. Upon proper presentation, the Court will consider Plaintiff's application for attorney fees under the Equal Access to Justice Act and 406(b), if appropriate.

Given the fact of the parties' stipulation, the Court recommends that the District Judge immediately approve this Report and Recommendation and order the case **REVERSED** and **REMANDED**. A proposed order accompanies this Report and Recommendation.

DATED this 12th day of April, 2012.


Karen L. Strombom
United States Magistrate Judge